IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION
Dated: Nainital: the 29th day of August 2006
Bail application no. 698 **of 2006**
Order on the bail application of accused

CRIMINAL SIDE

Mukesh Kumar S/o Ram Bharose
R/o Village Garibpura
P.S. Baheri
District Bareilly ...Applicant

Versus

State of Uttaranchal ...Opposite Party

Arising out of Case Crime No. 799 of 2006
Under Sections 302, 394, 411 of I.P.C.
P.S. Kichha
District Udham Singh Nagar

By the court

Hon'ble B.C. Kandpal, J

The applicant has applied for bail in case Crime No. 799 of 2006 under Sections 302, 394, 411 I.P.C., P.S. Kichha, District Udham Singh Nagar.

Heard Sri S.K. Mandal, learned counsel for the applicant, learned A.G.A. for the State and perused the record.

The applicant is not named in the First Information Report.

Learned A.G.A. was directed to file the counter affidavit. In the counter affidavit this fact has not been denied that no recovery of any incriminating article has been made from the possession of the applicant.

The applicant is also averred in the bail application that he does not have any criminal history and this fact has also not been denied by the State.

Having considered the aforesaid facts of the case, I think, it is just a case for bail at this stage.

Let the applicant be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of Magistrate concerned.

(B.C. Kandpal, J.)

29.08.2006
ASWAL